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OFFICE OF PETITIONS

In re Application of :
Vincent Fischetti, et al. :
Application No. 10/067,995 :
Filed: February 8, 2002 :
Attorney Docket No. NH-Methon Upper :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 7, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed January 7, 2005, which set a shortened statutory period for reply of three (3) months. A three-month extension of time under the provisions of 37 CFR 1.136(a) was obtained. An Advisory action was mailed August 3, 2005 indicating that the reply filed on July 7, 2005, failed to place the application in condition for allowance. Accordingly, the application became abandoned on July 8, 2005.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an Amendment and a Request for Continued Examination (RCE); (2) the petition fee of \$750; and (3) the required statement of unintentional delay have been received. Accordingly, the petition filed October 7, 2005 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

The application matter is being referred to Technology Center 1600, Art Unit 1651 for further processing.

Retta Williams

Retta Williams
Petitions Examiner
Office of Petitions